

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Department LA 9

03/10/2008

Court Convened at: 0130PM

Honorable Commr Reva G. Goetz, Judge Pro Tem
none, Deputy SheriffAndrea Murdock, Deputy Court Clerk
Tamara Vogl CSR #10186, Reporter

BP-109096

505

THE SJB REVOCABLE TRUST - TRUST

TRUST PROCEEDING

TRUST - OTHER

Petitioner(s): TABACK, IVAN

Attorney(s): GASWIRTH, MITCHELL M. ✓

C. Byam ✓

Continuance Number: 1

Continuance From: 2/14/2008 12:00:00AM

Last Date Changed: 3/10/2008 1:13:13PM

Last Note Changed By: SRILEY

To clear probate notes "filed documents" must be submitted to Rm 258, within time frames set forth in Rule 10.19(a) of LASC Rules. You may contact the Probate Attorney whose E-Mail address appears at the end of these notes, subject to compliance with all conditions governing the use of Interactive E-Mail. E-mail Rules are available in Rm 258 and on the Court's web site at www.LASuperiorCourt.org.

PRIOR ORDERS: Cont to 3/10/08 at 1:30 pm D-9 < per M.O. dtd 2/14/08 > per order dated 2/14/08 Petnr & Bryan Spears were apptd as acting temp co-tees w/o bond & tee's powers limited as provided in that order

SUMMARY:

Petnr is named successor co-tee of IV trust dated 7/26/04
waivers of ntc by temp tees of estate Wallet and Spears filed
consents to act filed by petnr & Bryan Spears
redacted portion of trust attached

FACTS RE APPOINTMENT OF SUCCESSOR CO-TEES: trust dated 7/26/04 is revocable - trust provides that Britney is named trustee & if she resigns or otherwise ceases to act then Bryan Spears, Stacy Smith and Ivan Taback may act as successor co-tees (Stacy Smith has declined to act as co-tee)

Trust provides that if settlor/tee shall cease to act if she is under a legal disability or by reason of illness or mental or physical disability, in the written opinion of 2 doctors then practicing medicine, she is unable to manage her affairs

Petnr contends that as a result of crt orders entered re apptmt of temp consor for Britney that court has found that Britney has ceased to act as tee & successor co-tees should be apptd - PC 15643(e) provides that a vacancy in the office of tee exists upon apptmt of a consor of a tee

Trust waives bond for any trustee (Art. 6)

FACTS RE COMPENSATION FOR LEGAL SERVICES: Petnr is a resident of NY but is not licensed to practice law in CA - Petnr is a partne with the firm of Proskauer Rose LLP & has offices in LA, CA - atty Mitchell M. Gaswirth assisted with preparation of trust & has been advising petnr since 2/1/08 - Petnr is seeking the right to dual compensation as required by PC 15687(a) - petnr desires to employ Proskauer as counsel for the period 2/1/08 thru 3/17/08 & will compensate firm according to its standard hourly rates for its svcs & reimb out-of-pocket exps - petnr believes employment of such counsel is necessary due to the complexity & sensitivity of issues presented & further, that attys are familiar w/ the trust & consorshp

MATTERS TO CLEAR:

- a. 30 days ntc given to Britney, settlor/bene - see CRC Title 7 Rule 7.51(b), PC 1214
b. are there 2 doctors' statements stating Britney is unable to manage her affairs?
c. no alleg re name & address of settlor

clear a, d, e

RECOMMENDED DISPOSITION:

Order to be Prepared By:

Clerk: _____ Attorney: _____

RELATED ITEMS:

THE SJB REVOCABLE TRUST - TRUST

03/10/2008

LA

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